S.B.Cr.Misc. II Bail App. No. 5306/2007
(Mohabbat Singh Vs. State of Rajasthan)

Date of order : 26/10/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. D.L.Rawla for the petitioner.

Mr. Ashok Upadhyay, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned.

This is second bail application. While dismissing the first bail application on 17.9.2007 the petitioner was granted liberty to file fresh bail application after filing of challan. Learned counsel for the petitioner submits that the police has concluded the investigation and filed challan. He has placed on record the challan papers.

Having perused the challan papers and keeping in view the fact that the offence is triable by a Court of Judicial Magistrate and the trial is likely to take long time, looking to the facts and circumstances of the case and having considered the oral arguments advanced by both the parties, without commenting on the merit of the case, I think it just and proper to enlarge the accused petitioner on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Mohabbat Singh S/o Aamb Singh be released on bail in FIR No. 70/2007 P.S. Karda, district

Jalore, provided he executes a personal bond for a sum of Rs. 20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP